

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS

UNITED STATES OF AMERICA

V.

DENISE R. PICKENS

JUDGMENT IN A CRIMINAL CASE

Case Number: 4:06cr00187-01 JMM

USM Number: 24173-009

Richard E. Holiman

Defendant's Attorney

THE DEFENDANT:

X pleaded guilty to count(s) 1 of Information

☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.

☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Offense Ended</u>	<u>Count</u>
18 USC 1344 & 1349	Conspiracy to Commit Bank Fraud, a Class B Felony	12/2004	1

The defendant is sentenced as provided in pages 2 through 6 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

☐ Count(s) _____ ☐ is ☐ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

January 18, 2007

Date of Imposition of Judgment

James M. Moody

Signature of Judge

James M. Moody

UNITED STATES DISTRICT JUDGE

Name and Title of Judge

Jan 25, 2007

Date

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

JAN 25 2007

JAMES W. MCCORMACK, CLERK
BY: Dickson DEP. CLERK

DEFENDANT: **DENISE R. PICKENS**
CASE NUMBER: **4:06cr00187-01 JMM**

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of: **One (1) day with credit for time served.**

- ☐ The court makes the following recommendations to the Bureau of Prisons:
- ☐ The defendant is remanded to the custody of the United States Marshal.
- ☐ The defendant shall surrender to the United States Marshal for this district:
- ☐ a _____ ☐ a.m. ☐ p.m. on _____ .
- ☐ as notified by the United States Marshal.
- ☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:
- ☐ before 2 p.m. _____ .
- ☐ as notified by the United States Marshal.
- ☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered _____ to _____
at _____ , with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: **DENISE R. PICKENS**
CASE NUMBER: **4:06cr00187-01 JMM**

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of : **three (3) years**

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: **DENISE R. PICKENS**
CASE NUMBER: **4:06cr00187-01 JMM**

ADDITIONAL STANDARD CONDITIONS OF SUPERVISION

14) The defendant shall participate in mental health counseling under the guidance and supervision of the U. S. Probation office.

15) The defendant shall disclose financial information upon request of the U. S. Probation office, including, but not limited to, loans, lines of credit, and tax returns. This also includes records of any business with which the defendant is associated. No new lines of credit shall be established without prior approval of the U. S. Probation office. This condition will be suspended after full payment of the restitution.

16) The defendant shall continue to cooperate with the United States.

DEFENDANT: **DENISE R. PICKENS**
CASE NUMBER: **4:06cr00187-01 JMM**

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 100.00	\$ 0	\$ 22,008.14

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
See attachment			

TOTALS	\$ _____	\$ _____
---------------	----------	----------

☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☒ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☒ the interest requirement is waived for the ☐ fine ☒ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

ACCOUNT 2

Check #	Date	Retailer	Amount
3495	11/21/2004	Arby's	\$20.05
3399	11/17/2004	Back Yard Burgers	\$24.37
3484	11/20/2004	Back Yard Burgers	\$18.99
3494	11/21/2004	Back Yard Burgers	\$26.39
3483	11/20/2004	Big Red	\$37.80
3406	11/17/2004	Burger King	\$15.35
3470	11/19/2004	Burger King	\$18.52
3473	11/20/2004	Burger King	\$20.55
3499	11/23/2004	Burger King	\$22.93
3359	11/24/2004	Burger King	14.69
3367	11/26/2004	Chick-Fil-A	\$13.70
3386	11/15/2004	Chick-Fil-A	\$27.08
3398	11/16/2004	Dollar General Corporation	\$147.95
3362	11/26/2004	Dollar General Corporation	\$187.37
3391	11/16/2004	Dollar Tree Stores, Inc.	\$81.38
3408	11/18/2004	Dollar Tree Stores, Inc.	\$99.19
3472	11/19/2004	Exxon	\$35.14
3383	11/15/2004	Family Dollar	\$127.46
3402	11/17/2004	Family Dollar	\$135.00
3403	11/17/2004	Fred's	\$185.92
3412	11/18/2004	Fred's	\$169.41
3492	11/21/2004	Fred's	\$209.95
3496	11/22/2004	Fred's	\$200.00
3344	11/23/2004	Fred's	\$203.93
3350	11/24/2004	Fred's	\$200.00
3394	11/16/2004	Goody's Family Clothing, Inc.	\$174.61
3411	11/18/2004	Goody's Family Clothing, Inc.	\$180.87
3479	11/20/2004	Goody's Family Clothing, Inc.	\$204.93
3500	11/22/2004	Goody's Family Clothing, Inc.	\$200.00
3357	11/24/2004	Goody's Family Clothing, Inc.	\$187.99
3467	11/19/2004	Hancock Fabrics	\$103.91
3468	11/19/2004	Hancock Fabrics	\$103.91
3388	11/16/2004	Hancock Fabrics	\$95.46
3497	11/21/2004	Harvest Foods	\$135.82
3413	11/18/2004	Hastings Entertainment	\$139.88
3342	11/23/2004	Hastings Entertainment	\$167.72
3365	11/26/2004	Hastings Entertainment	\$129.10
3389	11/16/2004	Hobby Lobby	\$191.96
3476	11/20/2004	Hobby Lobby	\$200.00
3347	11/24/2004	Hobby Lobby	\$200.00
3493	11/21/2004	Home Depot	\$451.13
3355	11/24/2004	Home Depot	\$285.94
3409	11/18/2004	JC Penney Home Office	\$59.31
3410	11/18/2004	JC Penney Home Office	\$100.00
3477	11/20/2004	Kroger	\$131.24
3358	11/24/2004	Kroger	\$182.07
3480	11/20/2004	Lowes Companies, Inc.	\$310.19
3490	11/21/2004	Lowes Companies, Inc.	\$463.56

3352	11/24/2004	Lowes Companies, Inc.	\$388.18
3407	11/18/2004	McDonald's	\$16.62
3369	12/6/2004	Michaels Stores, Inc.	\$95.44
3491	11/21/2004	Office Max	\$188.97
3401	11/17/2004	Phillips 66	\$30.00
3488	11/20/2004	Phillips 66	\$50.37
3485	11/20/2004	Popeyes	\$16.45
3464	11/19/2004	Sally Beauty Supply	\$46.46
3481	11/20/2004	Sally Beauty Supply	\$29.67
3381	11/15/2004	Shell	\$31.39
3498	11/22/2004	Shell	\$32.34
3346	11/23/2004	Shell	\$33.26
3405	11/17/2004	Subway	\$24.07
3463	11/18/2004	Subway	\$17.81
3349	11/24/2004	Subway	\$15.77
3366	11/26/2004	Subway	\$15.28
3414	11/18/2004	Taco Bell	\$28.07
3360	11/24/2004	Taco Bell	\$27.27
3345	11/23/2004	Tobacco Rack #2	\$79.03
3351	11/24/2004	Trees N Trends, Inc.	\$319.19
3392	11/16/2004	Tuesday Morning	\$235.38
3348	11/24/2004	Tuesday Morning	\$306.43
3404	11/17/2004	USA Drugs	\$88.98
3393	11/16/2004	Wal-Mart Stores, Inc.	\$400.00
3396	11/16/2004	Wal-Mart Stores, Inc.	\$400.00
3474	11/20/2004	Wal-Mart Stores, Inc.	\$400.00
3382	11/15/2004	Wendy's	\$17.64
3397	11/16/2004	Wendy's	\$13.44
		TOTAL	\$9,990.23

ACCOUNT 27

Check #	Date	Retailer	Amount
3849	8/21/2004	Big Red	\$31.28
3857	8/24/2004	Chick-fil-A	\$23.55
3858	8/24/2004	Co Op	\$16.76
3835	8/21/2004	Dollar General Corporation	\$123.63
3891	8/25/2004	Family Dollar	\$146.17
3843	8/23/2004	Goody's Family Clothing, Inc.	\$200.00
3851	8/24/2004	Goody's Family Clothing, Inc.	\$200.00
3855	8/24/2004	Hobby Lobby	\$200.00
3860	8/25/2004	Hobby Lobby	\$288.23
3895	8/25/2004	Home Depot	\$268.92
3854	8/24/2004	JC Penney Home Office	\$200.00
3899	8/26/2004	JC Penney Home Office	\$200.00
3836	8/21/2004	Kroger	187.31
3856	8/24/2004	Lowes Companies, Inc.	\$400.00
3853	8/24/2004	Old Navy	\$400.00
3847	8/23/2004	Pizza Hut	\$35.97
3911	8/30/2004	Pizza Hut	\$57.89
3896	8/25/2004	Popeye's	\$30.16
3831	8/20/2004	Sears	\$400.00
3842	8/25/2004	Shell	\$25.00
3894	8/25/2004	Shell	\$25.00
3859	8/24/2004	Shell	\$30.00
3846	8/23/2004	Shell	\$32.11
3908	8/29/2004	Subway	\$19.48
3893	8/25/2004	Subway	\$25.86
3913	9/1/2004	Taco Bell	\$21.47
3904	8/26/2004	Tuesday Morning	\$100.00
3905	8/26/2004	Tuesday Morning	\$100.00
3833	8/14/2004	Wal-Mart Stores, Inc.	\$400.00
3845	8/23/2004	Wal-Mart Stores, Inc.	\$400.00
3902	8/26/2004	Wal-Mart Stores, Inc.	\$400.00
3906	8/26/2004	Wal-Mart Stores, Inc.	\$400.00
3848	8/23/2004	Wendy's	\$21.83
TOTAL			\$5,410.62

ACCOUNT 29

Check #	Date	Retailer	Amount
2889	8/27/2004	Burger King	\$19.98
2906	8/30/2004	Burger King	\$6.45
2907	8/30/2004	Burger King	\$21.68
2870	8/22/2004	Burlington Coat Factory Warehouse	\$253.33
2867	8/21/2004	Dollar General Corporation	\$176.82
2874	8/22/2004	Dollar General Corporation	\$122.31
2873	8/22/2004	Dollar Tree Stores, Inc.	\$81.68
2899	8/28/2004	Doublebee's Exxon	\$34.20
2866	8/19/2004	Family Dollar	\$130.24
2880	8/26/2004	Family Dollar	\$125.01
2905	8/29/2004	Family Dollar	\$145.52
2878	8/25/2004	Fred's	\$132.83
2884	8/26/2004	Hancock Fabrics	\$200.00
2879	8/25/2004	Hastings Entertainment	\$163.49
2904	8/29/2004	Home Depot	\$428.70
2876	8/24/2004	JC Penney Home Office	\$200.00
2881	8/26/2004	JC Penney Home Office	\$200.00
2868	8/21/2004	Kroger	\$167.06
2897	8/28/2004	Kroger	\$94.39
2902	8/29/2004	Kroger	\$191.41
2912	8/31/2004	Kroger	\$166.15
2877	8/24/2004	Lowes Companies, Inc.	\$400.00
2886	8/26/2004	Lowes Companies, Inc.	\$400.00
2898	8/27/2004	Lowes Companies, Inc.	\$400.00
2903	8/29/2004	Majic Mart	\$30.00
2892	8/27/2004	McDonald's	\$13.29
2895	8/27/2004	Mexico Chiquito	\$28.45
2869	8/22/2004	Michaels Stores, Inc.	\$114.57
2894	8/27/2004	Michaels Stores, Inc.	\$188.31
2864	8/19/2004	Payless Shoesource	\$55.27
2911	8/30/2004	Pizza Hut	\$12.07
2872	8/22/2004	Rack Room Shoes	\$65.54
2887	8/26/2004	Diamond Shamrock Superstop	\$35.86
2885	8/26/2004	Tuesday Morning	\$188.95
2891	8/27/2004	Tuesday Morning	\$176.96
2893	8/27/2004	USA Drug	\$92.42
2913	9/7/2004	USA Drug	\$100.51
2861	8/17/2004	Wal-Mart Stores, Inc.	\$425.49
2883	8/26/2004	Wal-Mart Stores, Inc.	\$400.00
2888	8/26/2004	Wal-Mart Stores, Inc.	\$400.00
2896	8/27/2004	Wendy's	\$18.35
		TOTAL	\$6,607.29

DEFENDANT: **DENISE R. PICKENS**
CASE NUMBER: **4:06cr00187-01 JMM**

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties are due as follows:

- A** ☒ Lump sum payment of \$ 100.00 due immediately, balance due
Payable to Clerk of Court, 600 West Capitol, Suite 402, Little Rock, AR 72201
☐ not later than _____, or
☒ in accordance ☐ C, ☐ D, ☐ E, or ☒ F below; or
- B** ☐ Payment to begin immediately (may be combined with ☐ C, ☐ D, ☐ F below); or
- C** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D** ☐ Payment in equal _____ (e.g., weekly, monthly, quarterly) installments of \$ _____ over a period of _____ (e.g., months or years), to commence _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
- E** ☐ Payment during the term of supervised release will commence within _____ (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
- F** ☒ Special instructions regarding the payment of criminal monetary penalties:
Beginning the first month of supervised release, payments will be 10 percent per month of the defendant's monthly gross income.

Unless the court has expressly ordered otherwise, if this judgment imposes imprisonment, payment of criminal monetary penalties is due during imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

☒ Joint and Several

Defendant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, and corresponding payee, if appropriate.

4:04cr00249 Defendants 01 - Sharon L. Alexander; 02 - Vondra D. Alexander; 03 - Shelly M. Gulley; 04 - Nikki L. King; 05 - Kendraya D. Gordon; 06 - Monica C. Eckwood; 07 - Christy Pickens; 08 - Cristal L. Miller; 09 - Stephanie King Dunn; 10 - Javelin Thompson; 11 - Michael Jerman Caffey; 12 - Lance Edward Mabrie

- ☐ The defendant shall pay the cost of prosecution.
- ☐ The defendant shall pay the following court cost(s):
- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.